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MAR 02 2004

**PETITION UNDER 37 CFR 1.1313(B)(5)****OFFICIAL**

<b>To:</b> Examiner A. Kinkad	<b>From:</b> Christopher A. Bennett
<b>Fax:</b> 703-872-9319	<b>Date:</b> March 2, 2004
<b>Phone:</b> 703-305-3486	<b>Pages:</b> 63
<b>Re:</b> 09/731,004 36856.885	<b>CC:</b>

**•Comments:**

Examiner Kinkad,

Please find attached the following documents U.S. Application No. 09/731,004:

1. Request for Continued Examination;
2. Credit card form payment in the amount of \$770.00;
3. Petition under 37 CFR 1.1313(b)(5);
4. Credit card form payment in the amount of \$130.00; and
5. Information Disclosure Statement.

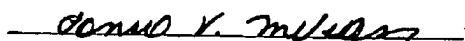
Respectfully submitted,

Christopher A. Bennett  
for  
KEATING & BENNETT, LLP  
(Reg. No. 46,710)

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence is being transmitted to Group Art Unit 2817, 703-872-9308 addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: March 2, 2004



Sonia V. McVean

**PETITION UNDER 37 CFR 1.313(b)(5)**Patent  
36856.885**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Fumitoshi SATO	Art Unit: 2817
Serial No.: 09/731,004	
Filed: December 6, 2000	Examiner: A. Kinhead
Title: OSCILLATOR	

**PETITION UNDER 1.313(b)(5) TO WITHDRAW APPLICATION FROM ISSUE**

U.S. PATENT AND TRADEMARK OFFICE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.313(b)(v), Applicant hereby petitions to withdraw the above-identified patent application from issue in order to have the Patent Office consider the concurrently filed Information Disclosure Statement and seven prior art references cited therein.

Applicant has also filed herewith a Request for Continued Examination for this application to have the Information Disclosure Statement and the seven (7) prior art references cited therein considered by the Examiner and cited among the References Cited on the patent to issue from this application.

03/04/2004 GWDRDF1 00000027 09731004

01 FC:1460

130.00 OP

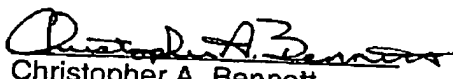
U.S. Application No. 731,004  
March 2, 2004  
Page 2 of 2

Applicant has enclosed a credit card authorization form in the amount of \$130.00 to pay the Fee due under 37 CFR § 1.17(h) for filing this Petition.

Applicant authorizes the Commissioner to charge Deposit Account No. 50-1353 for any additional amounts owed in relation to this patent application.

Respectfully submitted,

Date: March 2, 2004

  
Christopher A. Bennett  
Attorney for Applicant(s)  
Reg. No. 46,710

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